

**WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP**

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**DEC 12 2006**

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DATE: December 12, 2006

TO: Examiner Michael C. Henry  
TC Art Unit: 1623

Fax No.: (571) 273 8300

FROM: Holliday C. Heine, Ph.D.

No. of pages transmitted  
(including this page): 2

Our File: UPITT-008XX

Time:

Your Ref: Application No. 10/659,063  
Filed Date: September 10, 2003  
Confirmation No.: 3827

Sent by: Rose

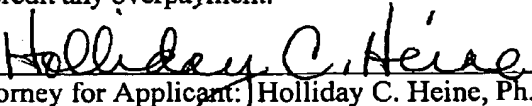
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MESSAGE

**PLEASE DELIVER DIRECTLY TO:**  
EXAMINER Michael C. Henry, Tel. (571) 272-0652  
TC ART UNIT NO: 1623

**FOR ENTRY**

Enclosed for filing please find a: Notice of Appeal including a  
Request for differential 3rd month Extension of Time

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional  
filing fees associated with this communication or credit any overpayment.

  
Attorney for Applicant: Holliday C. Heine, Ph.D.  
Registration No. 34,346

HCH/raw 345546.1

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Rev 03/06

Application No. 10/659,063  
Filed: September 10, 2003  
TC Art Unit: 1623  
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DEC 12 2006

Date: December 12, 2006

Attorney  
Docket No.: UPITT-008XX

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: Mitchell P. Fink et al.

Entitled: EXTRACELLULAR NAD<sup>+</sup> AND CADPR AS POTENT ANTI-INFLAMMATORY AGENTS

**VIA FACSIMILE**

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 12, 2006 of the Examiner finally rejecting claims 1-6 and 8.

The Commissioner is authorized to charge payment of \$250.00 to Deposit Account No. 23-0804 for the cost of the Notice of Appeal.

The following checked items are appropriate:

A timely response to the final rejection:

☒ has been filed on October 12, 2006      ☐ is hereby filed

An extension of time to respond to the final rejection:

1. ☐ was requested on \_\_\_\_\_ for \_\_\_\_\_ month(s);
  2. ☒ is hereby requested for a differential 3rd month Extension of Time. Payment was made for one month Extension of Time on October 12, 2006. The Commissioner is authorized to charge differential payment (\$510 - \$60 = \$450) of \$450.00 to Deposit Account No. 23-0804.
  3. ☐ is included on the enclosed amendment transmittal form along authorization to charge \$\_\_\_\_\_ to Deposit Account No. 23-0804 for the extension fee.
- ☐ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Michael C. Henry, TC Art Unit 1623, Fax No. (571) 273 8300 Dec 12, 2006.

12/13/2006 TL0111 00000063 230804 10659063

01 FC:2253 450.00 DA  
02 FC:2401 250.00 DA

Holliday C. Heine  
Attorney of Record: Holliday C. Heine, Ph.D.  
Registration No.: 34,346